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STATE OF DELAWARE
DEPARTMENT OF STATE
DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF EXAMINERS OF PSYCHOLOGISTS
MEETING DATE AND TIME:	Monday, June 7, 2010 at 9:00 a.m.
PLACE:	Division of Professional Regulation 861 Silver Lake Blvd., Conference Room A Cannon Bldg., Dover, Delaware 19904
MINUTES FOR APPROVAL:	July 26, 2010

MEMBERS PRESENT

Dr. Gary Johnson, Professional Member, President
Dr. Marcia Halperin, Professional Member, Vice President
Dr. Steve Eichel, Professional Member
Dr. Rick Brokaw, Professional Member
Eleanor Allione, Public Member
Lee Wheeler, Public Member
Andrew Slater, Public Member

MEMBERS ABSENT

Dr. Mark Fleming, Professional Member, Secretary
Joan McDonough, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL PRESENT

Nancy Fields, Administrative Specialist II
Patricia Davis-Oliva, Deputy Attorney General

OTHERS PRESENT

Jeffrie Silverberg
Roberta DiBastiani
Vivian Bush

CALL TO ORDER

Dr. Johnson called the meeting to order at 9:03 a.m.

REVIEW OF MINUTES

A motion was made by Ms. Wheeler, seconded by Ms. Allione, to approve the minutes as presented.
The motion unanimously carried.

UNFINISHED BUSINESS

PTD Hearing – Dr. Roberta DeBastiani

Dr. Brokaw recused himself from the hearing.

Ms. Davis-Oliva stated the purpose of the hearing was to allow Dr. DeBastiani to provide proof to the Board that she meets the qualifications of licensure after the Board has proposed to deny her application. The Board and applicant exhibits were entered into evidence and the Board was introduced. Ms. DeBastiani was present with her supervisor Dr. Vivian Bush. Dr. Bastiani testified that she realized that some of the courses in question were on her transcripts from Ducane University and that she would have to retrieve it as well as get the course descriptions to prove that she meets the educational requirements since her graduate degree is from a school that is not accredited by the American Psychological Association. Dr. Bush stated that she did not complete the hours in Dr. Bastiani's supervision form correctly and would correct it.

After hearing the testimony, the Board went off the record for deliberations.

The Board decided they could either deny her application or allow Dr. Bastiani additional time to get the information required and continue the hearing in September. Dr. Bastiani advised the Board that she could wait until September.

A motion was made by Dr. Halperin, seconded by Dr. Eichel, to continue her hearing in September. The Board went off the record and the hearing was closed.

PTD Hearing for Dr. Jeffrie Silverberg

Ms. Davis-Oliva stated the purpose of the hearing was to allow Dr. Silverberg to provide the Board with proof that he meets the qualifications of licensure and that his previous discipline should not be a bar for licensure.

The Board and applicant exhibits were entered into evidence and the Board was introduced. Dr. Silverberg was present and testified that he received a complaint in the Virgin Islands (VI) regarding a relationship issue. The VI Board ordered that he pay a fine, his license was suspended for three months, and he had to do 24 hours of in-service training. His Certificate of Professional Qualification in Psychology (CPQ) was revoked by ASPPB. He appealed the VI Board's decision and it is still pending. The Virginia Board granted him a license because the issue hasn't been resolved yet and no one knows how long it will take to resolve.

The Board went off the record for deliberations.

After deliberations, the Board went back on the record. Dr. Silverberg was brought back to the stand. The Board asked him if he would be willing to have a provisional license with supervision for a period of time. He advised that he would not have a problem with supervision and that he just wanted to work.

The Board went back off the record for more deliberations.

After deliberations, the Board went back on the record.

A motion as made by Dr. Halperin, seconded by Ms. Allione, to grant Dr. Silverberg a provisional license in which he must work under a supervisor of his choice for 6 months, and must consult with his supervisor at least once every two weeks (12 one-on-one sessions), and have reports submitted to the Board every two months. The motion unanimously carried.

The Board went off the record and hearing closed. A Decision and Order will be written up and signed by the Board at the next meeting.

Re-Review of Application of Dana Nicholson, Ph.D

The Board re-reviewed the application and additional supervision documents recently submitted.

A motion was made by Dr. Eichel, seconded by Ms. Wheeler, to approve Dr. Nicholson for licensure for all the requirements have been met. The motion unanimously carried.

Re-Review of Application for Lisa Greene, Ph.D.

After review, the Board still felt that her supervised hours were not correct.

A motion was made by Dr. Eichel, seconded by Ms. Allione, to table her application again and allow her one more opportunity to have the corrections to be made. The motion unanimously carried.

Monitoring - Tamara Perry

There was no additional information reported at this time.

Monitoring – Terry McCandies

There was no additional information reported at this time.

Ethics Requirement

The Division of Professional Regulation received a communication request from a former professional Board member who stated that she recently attended a professional conference and realized that many licensees were unfamiliar with the latest rule change, which requires all licensees to take 3 continuing education (CE) credit hours of ethics every renewal period. This rule has been in effect since July 2009.

Although it was discussed at several 2009 Board meetings, mentioned in the meeting minutes, posted in two newspapers, the Board held a public hearing, and the current Rules and Regulations had been on the website for almost a year; the Division staff put a message on the front page of the Board of Examiners of Psychology webpage and sent a mass email or paper message to all the licensees making them aware of the rule change and their new continuing education requirement.

This incident has brought to light several issues that the Board and the Division of Professional Regulation are in the process of addressing. The most important is that many licensees are not following up on what their professional Boards are doing, and are not keeping up on their current law and Rules and Regulation changes or Division policy changes. Because the Division of Professional Regulation and the Board feels that this is an important part of having a professional license, the Division and Board have made a commitment to communicate more effectively with their licensees and applicants regarding rule, law, and policy changes and other important issues; however, it is ultimately the licensees' and applicants' responsibility to keep up with the changes regarding their profession.

Dr. Johnson informed the Board that he had to make an executive decision during this notification process regarding which licensees would be affected by this change since it was not previously discussed or specifically stated. Dr. Johnson advised that this rule would be in effect for all Psychologists and Psychological Assistants for the 2011 renewal, even if their CE requirement is prorated.

Legislative Update

Dr. Halperin reported that she had attended the hearings for Senate Bill 236. She had to answer a lot of questions. The bill passed in the Senate and would go on to the House and hopefully go through this session.

Mr. Slater gave the Board some future dates on when it could possibly be on the floor. Dr. Halperin and Dr. Eichel made the arrangements to attend.

NEW BUSINESS

Review of Initial Application for Psychologist

The Board reviewed the application of Joanna R. Rowles, Ph.D.

After review, a motion was made by Dr. Halperin, seconded by Dr. Eichel, to approve Dr. Knowles' application for licensure due to meeting all of the requirements. The motion unanimously carried.

Review of Applications to Sit for EPPP

The Board reviewed the application of Whitney Rooks, Ph.D.

After review, a motion was made by Dr. Halperin, seconded by Dr. Eichel, to table Dr. Rooks' application because her supervisory reference forms were incorrect and allow her to get them corrected and resubmitted. The motion unanimously carried.

Review of Application for Licensure by Reciprocity

The Board reviewed the application of Joseph Cautilli, Ph.D.

After review, a motion was made by Dr. Eichel, seconded by Mr. Slater, to approve Dr. Cautilli's application for licensure due to meeting all of the requirements. The motion unanimously carried.

Continuing Education Approval Request

Dr. Uveges submitted a request for approval of a continuing education course wished to take entitled "The Science and Business of Weight Management for the New or Experienced Practitioner" being offered in Philadelphia, PA on July 15-17, 2010. The Board approved this course.

Review of Application for Psychological Assistant Registration

There were no applications to review.

Complaint Updates

There were no updates at this time.

Correspondence

Dr. Johnson read a message from Dr. Mark Fleming to the Board. Dr. Fleming recently had to resign as a Board member due to job relocation. Dr. Fleming stated in his letter that he enjoyed his time on the Board and working with everyone. He will be greatly missed on the Board for he was a very knowledgeable, outspoken, and professional member.

OTHER BUSINESS BEFORE THE BOARD (DISCUSSION ONLY)

No other business was brought before the Board.

PUBLIC COMMENT

There was no public comment.

NEXT MEETING

The next meeting date is scheduled for July 26, 2010.

ADJOURNMENT

There being no further business, a motion was made by Dr. Brokaw, seconded by Ms. Wheeler, to adjourn the meeting at 10:41 a.m. The motion unanimously carried.

Respectfully submitted,

A handwritten signature in black ink that reads "Nancy L. Fields". The signature is written in a cursive, flowing style.

Nancy Fields, Administrative Specialist II
Board of Examiners of Psychologists